IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.28725 of 2008
BIRENDRA BHUIYAN
Versus
STATE OF BIHAR
----

2. **4.8.2008** Heard.

The petitioner Birendra Bhuiyan is in custody in a case under different Sections of the Arms Act and Section 4 and 5 of the Explosive Substances Act on recovery of a country made gun and a few articles which could be assembled to cause detonation.

The contention is that the petitioner was residing in Orisa and was not present at his house and it is simply false that the petitioner's house was found containing anything. The further contention is that the petitioner does not bear any criminal history. The recovery as per the details in the FIR appears from under a bed spread over in the house of the petitioner and considering that I am not inclined to direct the release of the petitioner from custody. Petition is dismissed.

However, as soon as the petitioner completes one year of custody from the first day of his remand in Barachatti P.S.Case no.12 of 2008 the S.D.J.M.Sherghaty or any other court which could be seized with the above case shall release the petitioner on execution of a bond of his own satisfaction.

(Dharnidhar Jha, J.)

B.Kr.

WEB COPY NOT OFFICIAL